



1                   **IN THE SUPREME COURT OF THE STATE OF NEW MEXICO**

2   **January 18, 2023**

3   **NO. S-1-SC-39481**

4   **MICHELLE LUJAN GRISHAM in her**  
5   **official capacity as Governor of the New Mexico,**  
6   **HOWIE MORALES, in his official capacity as New**  
7   **Mexico Lieutenant Governor and President of**  
8   **New Mexico Senate, MIMI STEWART, in her**  
9   **official capacity as President Pro Tempore of**  
10   **the New Mexico Senate, and BRIAN EGOLF,**  
11   **in his official capacity as Speaker of**  
12   **the New Mexico House of Representatives,**

13                   Petitioners,

14   v.

15   **HON. FRED VAN SOELEN,**  
16   **District Court Judge,**  
17   **Fifth Judicial District Court,**

18                   Respondent,

19   and

20   **REPUBLICAN PARTY OF NEW MEXICO,**  
21   **DAVID GALLEGOS, TIMOTHY JENNINGS,**  
22   **DINAH VARGAS, MANUEL GONZALES JR.,**  
23   **BOBBY and DEE ANN KIMBRO, and PEARL**  
24   **GARCIA,**

25                   Real Parties in Interest,

26   and

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1 **MAGGIE TOULOUSE OLIVER,**

2 Defendant-Real Party in Interest.

3 **ORDER**

4 WHEREAS, this matter came on for consideration by the Court upon oral  
5 argument presented by the parties on January 9, 2023, and upon the Court's own  
6 motion to request supplemental briefing, and the Court having considered the  
7 foregoing and being sufficiently advised, Chief Justice C. Shannon Bacon, Justice  
8 Michael E. Vigil, Justice David K. Thomson, Justice Julie J. Vargas, and Justice  
9 Briana H. Zamora concurring;

10 NOW, THEREFORE, IT IS ORDERED that the parties, as set forth in this  
11 order, shall file supplemental briefs in accordance with the requirements in Rule  
12 12-318 NMRA;

13 IT IS FURTHER ORDERED that the Real Parties in Interest in this  
14 matter—Plaintiffs in D-506-CV-2022-00041—shall file a brief in chief on or  
15 before **February 3, 2023**;

16 IT IS FURTHER ORDERED that the Petitioners in this matter—Defendants  
17 in D-506-CV-2022-00041—shall file an answer brief no later than fifteen (15)  
18 days after service of the brief in chief;

19 IT IS FURTHER ORDERED that a reply brief may be filed no later ten (10)  
20 days after service of the answer brief; and

1 IT IS FURTHER ORDERED that the briefs shall address the following  
2 issue: Does the New Mexico Constitution provide greater protection than the  
3 United States Constitution against partisan gerrymandering?

4 IT IS SO ORDERED.



WITNESS, the Honorable C. Shannon Bacon, Chief Justice of the Supreme Court of the State of New Mexico, and the seal of said Court this 18th day of January, 2023.

Elizabeth A. Garcia, Clerk of Court  
Supreme Court of New Mexico

By \_\_\_\_\_

A handwritten signature in black ink, appearing to read "Lysette Romero Cordova". The signature is written over a horizontal line that serves as a signature line.

Chief Deputy Clerk of Court

**CERTIFY AND ATTEST:**

A true copy was served on all parties  
or their counsel of record on date filed.

Lysette Romero Cordova

Chief Deputy Clerk of the Supreme Court  
of the State of New Mexico

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